IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 30TH OCTOBER 2007 / 8TH KARTHIKA 1929

WP(C).No. 22998 of 2007(K)

PETITIONER:

Y.MARIAMMA, D/O YOHANNAN,
MUNICIPAL COLONY, ROOM NO.12,
CHATHANAD, SANDANAM WARD, ALAPPUZHA.

BY ADV. SMT.C.K.SHERIN
SRI.L.RAJESH NARAYAN

RESPONDENTS:
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1. STATE OF KERALA REPRESENTED BY THE SECRETARY, DEPARTMENT OF LOCAL ADMINISTRATION, SECRETARIAT, THIRUVANANTHAPURAM.

2. DIRECTOR OF MUNICIPAL ADMINISTRATION, THIRUVANANTHAPURAM.

3. THIRUVALLA MUNICIPALITY REPRESENTED BY ITS SECRETARY, THIRUVALLA.

BY ADV. SRI.S.SUBHASH CHAND, SC FOR R3
GOVERNMENT PLEADER SRI.BENJAMIN PAUL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO.22998/07

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1: TRUE COPY OF THE NOTICE BY THE THIRD RESPONDENT.

EXT.P2: TRUE COPY OF THE REPRESENTATION SUBMITED BY THE PETITIONER BEFORE THE 3RD RESPONDENT.

//TRUE COPY//

ANTONY DOMINIC, J.
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W.P.(C) NO. 22998 OF 2007 K
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Dated this the 30th day of October, 2007

J U D G M E N T

Petitioner was a contingent employee on the rolls of the 3rd respondent and the claim raised in this writ petition is for release of her pensionary benefits. The 3rd respondent would submit that petitioner being a contingent employee, sanction of the Deputy Director, Local Fund Audit, Pathanamthitta is necessary for payment of the pensionary benefits. It is also submitted that though the pension papers were submitted to the Deputy Director for his sanction, noting certain defects, these were returned by the Deputy Director under the cover of letter dated 9/7/07. On receipt of the papers as above, Municipality has resubmitted all papers curing the defects, on 8/8/07 and that the matter is pending consideration of the Deputy Director.

2. In view of the above, all that is required to be done in this writ petition is to direct the Deputy Director, Local Fund Audit, Pathanamthitta, to pass final orders on the proposal made

by the 3rd respondent regarding the pension of the petitioner, as expeditiously as possible.

3. Accordingly, I dispose of this writ petition directing that the Deputy Director, Local Fund Audit, Pathanamthitta shall pass final orders considering the proposal submitted by the 3rd respondent, as expeditiously as possible, at any rate within a period of four weeks of receipt of a copy of this judgment.

Petitioner shall produce a copy of this judgment before the Deputy Director, Local Fund Audit for compliance.

ANTONY DOMINIC, JUDGE.

Rp